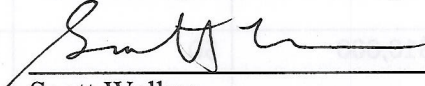


PROGRAM MANAGER ACTION REQUEST

To: Ted Rauh, Program Director
Waste Compliance and Mitigation Program

From: 
Scott Walker
Acting Division Chief
Cleanup, Closure and Financial Assurances Division

Prepared By: Glenn Young
(916) 341-6696
glenn.young@CalRecycle.ca.gov

Reviewed By: Holly Armstrong, Legal Office
Wendy Roberson, Contracts Office
Cara Rothenbaum, Budgets Office

Prepared On: April 14, 2010

Subject: **CONSIDERATION OF CONTRACTOR FOR THE
ENVIRONMENTAL INVESTIGATION SERVICES CONTRACT –
IWM09026 (INTEGRATED WASTE MANAGEMENT ACCOUNT
AND SOLID WASTE DISPOSAL TRUST FUND, FYS 2009/10,
2010/11 & 2011/12)**

TIME FACTOR: Approval required no later than May 14, 2010.

SUMMARY: This item requests the Department of Resources Recycling and Recovery (CalRecycle) Waste Compliance and Mitigation Program Director to consider and approve a contractor to provide site investigation and related services to assist in investigation and enforcement of state minimum standards at closed, illegal, and abandoned solid waste disposal sites in California. The contract would expire in May 2012, unless extended, and would be for an amount not to exceed three hundred thousand dollars (\$300,000) with initial funding proposed at ten thousand dollars (\$10,000) from the mandatory services portion of the Integrated Waste Management Account (IWMA). The current contract (IWM07039) expires in May 2010.

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
IWMA (FY 2009/10)	\$10,000	\$10,000	\$0	C&P External
IWMA (FY 2010/11)*	\$100,000	\$100,000	\$0	C&P External
SWCTF (FY 2010/11)*	\$100,000	\$100,000	\$0	C&P External
IWMA (FY 2011/12)*	\$90,000	\$90,000	\$0	C&P External

*Pending Budget Approval

OPTIONS: The Program Manager may decide to:

1. Approve the proposed contractor and direct staff to enter into a contract with the awarded contractor; or
2. Disapprove the proposed contractor and direct staff as to further action.

RECOMMENDATION: Staff recommends option 1.

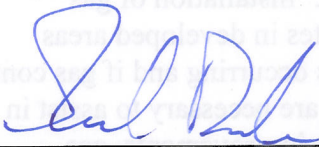
DISCUSSION: Pursuant to Title 14, California Code of Regulations (CCR) Sections 18083 and 18303, Local Enforcement Agencies (LEAs) are required to investigate and inspect closed, illegal, and abandoned (CIA) sites. Additionally, Public Resources Code (PRC) Section 45013 requires CalRecycle to investigate CIA disposal sites. The Closed, Illegal, and Abandoned Disposal Site Program (Program) was created to assist the Local Enforcement Agencies (LEA) in the investigation and inspection of CIA sites. This goal is accomplished by providing the resources necessary for a thorough site investigation followed by completion of the field investigation report and a recommendation for remedial measures. Attachment 1 provides the Scope of Work (SOW) for the proposed contract.

The purpose of the Environmental Services Contract is to provide a contractor to be utilized for specialized equipment and technical services during investigations of CIA solid waste disposal sites. The Environmental Services Contract supplements the separate Laboratory Services Contract by providing services which the Laboratory Contract cannot supply. Examples of work to be performed include construction of trenches and boreholes to characterize the extent and nature of waste, construction of landfill gas monitoring systems, non-intrusive geophysical surveying, aerial photogrammetry, land surveying, and technical drawing. These services may be required for the most complicated cases in order to provide adequate evidence and basis for enforcement actions in addition to determine the adequacy of remediation by responsible parties.

The Request for Qualifications (RFQ) process was used for contract procurement and has been used successfully for three separate environmental investigation services contracts since 2002. A panel of five CalRecycle staff was used to review and rank each responding contractor's Statement of Qualifications (SOQs) as well as interview and rank the top-ranked firms. A total of five SOQs were submitted for the contract. Based on the review of the SOQs, the four top-ranked companies were interviewed for the contracts.

Based on the panel's evaluation and the successful negotiation of the contract, staff is recommending Ninyo & Moore for award of the contract. Ninyo & Moore was established in the mid 1980's. Their corporate office is located in San Diego. The firm employs over 300 professionals including registered geotechnical and civil engineers, geologists, hydrogeologists and engineering geologists. Previously, Ninyo & Moore has had environmental services contracts under the Program.

PROGRAM MANAGER DETERMINATION: I hereby approve the award of the Environmental Investigation Services Contract to Ninyo & Moore. The contract will expire in May 2012, unless extended, and will be for an amount not to exceed three hundred thousand dollars (\$300,000) with initial funding of ten thousand dollars (\$10,000) from the mandatory services portion of the Integrated Waste Management Account (IWMA).



Ted Rauh, Program Director
Waste Compliance and Mitigation Program

APRIL 26, 2010

Date

Attachment 1: Scope of Work (SOW)

Environmental Investigation Services Contract

I. INTRODUCTION/OBJECTIVES

Pursuant to Title 14, California Code of Regulations (14 CCR) Sections 18083 and 18303, Local Enforcement Agencies are required to investigate and inspect closed, illegal, and abandoned disposal sites (CIA sites). Additionally, Public Resources Code (PRC) Section 45013 requires the Department of Resources Recycling and Recovery to investigate CIA sites. The purpose of the Closed, Illegal and Abandoned Disposal Site program is to assist the LEAs in the investigation and inspection of CIA sites.

In order to investigate sites to determine if state minimum standards for disposal sites are being met and to scope and estimate remedial measures necessary to obtain compliance with state minimum standards, intrusive and non-intrusive investigation work is required. This includes defining the horizontal and vertical extent of the disposal site using geophysical methods and trenching and/or drilling/direct push equipment. Intrusive investigations also provide data on waste characteristics and thickness of cover. Data from intrusive investigations can be used to determine the feasibility of clean-closure and/or reconfiguring and capping waste. Installation of gas monitoring networks and continuous gas monitoring systems at CIA sites in developed areas provides the necessary monitoring data to determine if gas migration is occurring and if gas control is necessary. Surveying services and preparation of topographic maps are necessary to assist in sampling activities and preparing remedial designs for covers, drainage improvements, gas monitoring networks and security.

The information obtained from these investigations provides the basis for estimating cost for remedial requirements and determining eligibility for Solid Waste Cleanup funds. The data obtained from these investigations can also be used to support enforcement actions at solid waste facilities.

II. WORK TO BE PERFORMED

All work under this contract shall be performed in accordance with the approved work plans developed by CalRecycle and the instructions accompanying or included in work orders/change orders issued under the contract.

The contractor shall assist CalRecycle staff with intrusive and non-intrusive site investigations and provide equipment, personnel, and services as needed. Some of the service needs will be initial site reconnaissance such as surveying and staking the site, locating underground utilities, flying aerials, and creating topographic maps. During the site investigation, field support may be needed. Subcontracting for the use of heavy equipment (excavation, backfilling, boring, grading) and operators (40-hour OSHA trained) will be essential. The contractor must have a registered geologist or certified engineering geologist on staff. Assistance in writing the site investigation report may or may not be requested. If requested, a waste volume estimate and remedial cost estimate must be provided.

III. TASKS IDENTIFIED

All work under this contract will be performed through work orders issued by CalRecycle to the contractor. The contractor will initially receive a planning work order that includes a proposed scope of work (SOW) and other pertinent information specific to the site being investigated. Work will be carried out in accordance with an approved work plan written by CalRecycle staff.

CalRecycle staff will coordinate with the contractor and negotiate any changes to the work plan which shall be documented through a change order and signed by both parties. Staff may thereafter issue a work order to investigate the site based on the agreed upon work plan and any other project documents.

Site Investigations

Assistance in performing site investigations shall include, but are not limited to the following elements:

1. Perform aerial photogrammetry & topographic map survey
2. Perform Historical Aerial Photograph Research
3. Preparation of topographic maps in AutoCAD
4. Performance of non-intrusive geophysical survey
5. Design and installation of gas monitoring networks
6. Design and installation of continuous gas monitoring systems
7. Provide heavy equipment and 40-hour HAZWOPER-trained equipment operators for the following activities:
 - Excavation/backfilling (trenching)
 - Grading (slopes, erosion control)
 - Boring (drill rig and/or direct push)
8. Provide CalRecycle staff with field support for soil sampling, boring and trenching activities
9. Provide a registered geologist or certified engineering geologist for soil identification and logging of trenches, direct push sample locations, and boreholes from drilling.

IV. CONTRACTS/TASKS TIME FRAME

The contract will be effective through May 2012, unless extended. Deadlines for each authorized task are to be specified in each work order.

